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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Case No. 2:03CR00410 TS

Plaintiff,

MOTION TO REDUCE TERM
OF IMPRISONMENT TO TIME SERVED

v.

NICHOLAS GALANIS,

Judge Ted Stewart

Defendant.

COMES NOW the United States of America, by the Director of the Federal Bureau of Prisons and through the undersigned Assistant United States Attorney, and respectfully moves the Court pursuant to 18 U.S.C. § 3582(c)(1)(A)(i), to modify the defendant's term of imprisonment to time served. In support hereof, the United States and the Director of the Federal Bureau of Prisons state as follows:

1. Defendant Nicholas Galanis pled guilty to violating 21 U.S.C. §§ 841(a)(1) and 846, Conspiracy to Manufacture 50 Grams or More of Actual Methamphetamine.

2. Mr. Galanis was sentenced on March 28, 2007, in the United States District Court for the District of Utah to 135 months of imprisonment with 60 months of supervised release.

3. Mr. Galanis has a projected good conduct time release date of December 18, 2015.

4. Mr. Galanis has been diagnosed with an unresectable brain tumor. His condition is considered terminal with a life expectancy of 12 months or less.

5. If the motion is granted, Mr. Galanis will reside with his sister in Englewood, Colorado.

6. The United States Probation Officer for the District of Colorado has approved the release plan.

WHEREFORE, it is respectfully requested that the Court reduce the term of imprisonment to the time the defendant has now served. Pursuant to 18 U.S.C. § 3582(c)(1)(A)(i), the Court, upon motion of the Director of the Bureau of Prisons, may modify a term of imprisonment upon the finding that “extraordinary and compelling reasons” exist to warrant a reduction. The defendant’s terminal medical condition and limited life expectancy constitute “extraordinary and compelling reasons” warranting the requested reduction. The defendant would not, however, be subject to complete release, as he would begin serving the 60-month term of supervised release previously imposed by the Court.

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RESPECTFULLY SUBMITTED on the 2nd day of October, 2014.

CARLIE CHRISTENSEN
Acting United States Attorney

/s/ Vernon G. Stejskal

VERNON G. STEJSKAL
Assistant United States Attorney